



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appl. No. : 10/699,212 Confirmation No.: 2780
Applicant : David R. Hennings et al.
Filing Date : October 30, 2003
Title : Endovenous Closure of Varicose Veins with Mid Infrared Laser
Group Art Unit : 3739
Examiner : David M. Shay
Docket No. : 15487.4002
Customer No. : 34313

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Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the Final Official Action mailed 12/03/2004, finally rejecting claims 1-7, 19-23 and 25.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00
The fee for the request for an oral hearing \$ 1000.00
☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore,
the fee shown above is reduced by half, and the resulting fee is: \$ 750.00.
☐ A check in the amount of the fee is enclosed.
☒ The Commissioner has already been authorized to charge fees in this application
to a Deposit Account. I have enclosed a duplicate copy of this sheet.

6/07/2005 MAHRED1 00000069 150665 10699212

1 FC:2401 250.00 DA
2 FC:2403 500.00 DA

**CERTIFICATE OF MAILING
37 CFR §1.8**

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 3, 2005

Lynne Fulmer
Lynne Fulmer

DOCSOC1:163727.1
15487-4002

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- ☒ The Commissioner is hereby authorized to charge \$750.00 and charge any deficiency in fees which or credit any overpayment, as may be required, to Deposit Account No. 15-0665. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

I am the:

- ☐ Applicant.
- ☐ Assignee of record of the entire interest.
Certificate under 37 CFR 3.73(b) is enclosed.
- ☒ Attorney or agent of record.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: June 3, 2005

By: 
Kurt T. Mulville, Reg. No. 37,194

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710
Customer Number: 34313